

COUNTY OF YORK

MEMORANDUM

DATE: March 30, 2000 (BOS Mtg. 4/18/00)
TO: York County Board of Supervisors
FROM: Daniel M. Stuck, County Administrator
SUBJECT: Application No.YVA-5-00, Gary A. Freeman

ISSUE

Application No.YVA-5-00 is a request pursuant to Section 24.1-327(b)(4) of the York County Zoning Ordinance, to authorize the establishment of antique store and gift shop with offices located at 114 Ballard Street (Route 1020) in the YVA (Yorktown Village Activity District). The parcel is further identified as Assessor's Parcel No. 18-(10)-B.

DESCRIPTION

Property Owner: Gary A. Freeman
Location: 114 Ballard Street
Area: 9,240 square feet
Frontage: 70 feet
Utilities: public water and sanitary sewer available
Topography: gently sloped
2010 Land Use Map Designation: Yorktown
Zoning Classification: YVA- Yorktown Village Activity District
Existing Development: two-story Dutch Colonial house
Surrounding Development:

North: Chischiak Watch townhouse development
East: York Hall
South: Single family home (applicant's)
West: Chischiak Watch townhouse development

Proposed Development: The establishment of an antique store and gift shop and accessory offices

ANALYSIS

1. The applicant is requesting authorization to establish an antique store and gift shop and accessory offices at 114 Ballard Street in Yorktown in an existing two-story 3,000 square foot Dutch Colonial house. According to Section 24.1-327(b)(4) of the Zoning Ordinance, proposed changes in use of land, buildings, or structure within the Yorktown Village Activity District that are not similar in type, size, scope and intensity as the previous use, are subject to review and approval in accordance with the same procedures as special use permits. Since the house was most recently used for residential purposes, the Ordinance requires that the applicant receive Board approval before converting the home to a new use. The Comprehensive Plan designates this area for Yorktown uses and the parcel is zoned YVA – Yorktown Village Activity District. The applicant does not propose to make any significant exterior modifications to the house except for those minor alterations required for the conversion of the house to a retail establishment, as described in paragraph 3 below. The applicant currently owns the house and permanently resides next door at 120 Ballard Street (newly constructed house).
2. The subject parcel is approximately ¼ acre in size and fronts Ballard Street and is directly across from the York Hall parking lot. The only structure on the property is the two-story Dutch Colonial house, which will house the antique store and gift shop. The house was constructed in 1927 by Eugene E. Slaight (and later became known as the Slaight House) and was most recently owned by the well-known Mathews family. Over the years the house has been home to several rental families and was once used as office space and headquarters for the York Town Crier newspaper. The site is particularly noted for its historical value to Yorktown's heritage. In 1620, a home on the site was the residence of Captain Nicholas Martiau, a French Huguenot. Captain Martiau was one of the first property owners in Yorktown (see attached history). A monument on the site depicts the history of Captain Martiau for visitors to enjoy. It is worthy noting that the applicant has taken a great interest in preserving the heritage of the home and the historic value of the property. Before the applicant's purchase, the home was in disrepair and greatly in need of a caretaker.
3. The applicant proposes to open an antique store and gift shop in the downstairs portion of the house (approx. 1,500 SF). The upstairs of the house (also approx. 1,500 SF) will be used for office space in support of the retail operation and will not be open to the public. The applicant and his wife (who reside next door) will operate the shop; additional employees are not planned. The shop's hours of operation are expected to be Wednesday through Saturday from 8 a.m. to 5 p.m. and Sunday from noon to 5 p.m. No evening hours are planned as part of the operation. Several interior modifications are currently in progress, which are expected to bring the house into compliance with the County Code. The modifications are necessary in order for the structure to meet the Code requirements for a structure used for retail uses. On the whole, however, the modifications will not alter the residential character of the property, which is a primary goal of the applicant. Actually, the majority of the modifications are relatively minor, e.g., interior painting, gypsum board replacement, the installation of handicap facilities, minor structural fortifications, and those

modifications consistent with the operation of a retail type establishment. Exterior modifications include landscaping improvements, a gravel parking lot to be located to the rear of the establishment (see attached conceptual plan) and drainage improvements. After years of neglect, these improvements are expected to significantly improve the site's appearance in keeping with the character of the Yorktown culture and experience.

4. According to the applicant, the antique store and gift shop is expected to attract the same level of visitors as do the Swan Tavern, Yorktown Shoppe, and the Period Designs establishments. These establishments attract approximately 25 to 50 visitors each day during the peak season. Most of the visitors are expected to patronize the shop by the same means as they do other Village shops, on foot. These establishments are largely seasonal and get most of their patron traffic from tourists that walk from the Yorktown Visitors Center and from several in-town parking areas. In 2000 a trolley system will be implemented in the Village to interconnect the peripheral and in-town parking areas. The trolley will carry visitors from those areas to a number of locations in the Village. It is anticipated that the trolley will stop near the proposed antique store and gift shop. Consequently, demand for parking space on site should be minimal. However, to accommodate those few visitors who need to park on site, the applicant is planning to use the rear yard area of the house for a gravel parking lot. A gravel-surfaced lot is recommended over a paved surface because gravel lots are more consistent with the historic character of the Village and allow for groundwater recharge. Most importantly, an impervious paved surface would likely alter the residential character of the site. Access to the proposed parking area is currently available by means of an existing driveway. Lastly, a public parking lot is available at York Hall, which is directly across the street from the proposed shop. The use of public parking lots by businesses to meet day-to-day parking demands within the Village is encouraged by the Yorktown Master Plan. There are several public-parking alternatives available in Yorktown either existing or planned, that can easily absorb the expected visitor traffic.
5. The Yorktown Village Activity District regulations in the Zoning Ordinance require that the applicant submit an overall signage sketch plan for the development. The regulations require that such signage shall be developed in accordance with sign regulations specified for the NB-Neighborhood Business district. Attached is a sketch plan that the applicant has proposed for the proposed antique store and gift shop, which is similar in design and size to the Period Designs art gallery on Main Street in the Village. No outdoor displays are planned. The applicant's proposed sketch plan meets the sign requirements in the Ordinance.

PLANNING COMMISSION RECOMMENDATION

The Planning Commission conducted a public hearing on March 22, 2000, during which no one spoke in opposition to this application. The Commission subsequently voted unanimously (7:0) to recommend approval.

COUNTY ADMINISTRATOR RECOMMENDATION

An important consideration of this request is its consistency with the Yorktown Master Plan, which was approved by the Board of Supervisors in 1993 and incorporated as an element of the Comprehensive Plan by reference. Based on that measurement, the applicant's proposal is precisely what the Yorktown Master Plan envisions. Under the Plan's Retail Development Strategy, antique stores and gift shops are explicitly recommended as compatible retail uses within the Village¹. These specialty retail establishments are recommended because of their potential for success in Yorktown, along with their compatibility with the character of the Village and other historic attractions. This proposal appears to be a good adaptive reuse project of a vacant building within the historic area, especially considering that the house and site were in disrepair. The applicant has stated that one of the goals of the proposal is to preserve the residential character of the site while improving the overall appearance of the site. I recommend approval through the adoption of proposed Resolution R00-53, attached.

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Attachments

- Excerpts, Planning Commission minutes, March 22, 2000
- Zoning Map
- Site sketch
- Slaughter House history
- Letter, Gary A. Freeman to Michael S. King, January 30, 2000 w/attachments
- Proposed Resolution No. R00-53

¹ Yorktown Master Plan, Board of Supervisors, County of York: p. 71, 1993.